

RECEIVED JAN 25 2007

FILED

IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

DEBORAH K. MAY, Employee,

2007 JAN 19 PM 2:42

Petitioner,

v.

Civil Action: 06-AA-42
Circuit Judge: Stucky

CHAIR and MEMBERS, Board of Review;
COMMISSIONER, West Virginia Bureau of
Employment Programs; and MATE CREEK
SECURITY, INCORPORATED, Employer,

Respondent,

ORDER

This matter came before this Court on Deborah K. May's Petition for Judicial Review of the Board of Review's Final Orders. The Petition asks this Court to reverse the Board of Review's Final Orders. The matter was considered by the Court on briefs, and no oral argument was held.

The Court has studied the briefs, the pleadings, the record, and has reviewed pertinent legal authorities. The Court, hereby, concludes that the substantial rights of the Petitioner have not been prejudiced as the findings and conclusions of the Board of Review are not: in violation of constitutional or statutory provisions; affected by other error of law; clearly wrong in view of the reliable, probative and substantial evidence on the whole record; or arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion. The Court, therefore, AFFIRMS the Board of Review's Final Orders.

The Court notes the objection and exception of the Petitioner to this ruling.

This is a Final Order.

The Court ORDERS the Circuit Clerk of Kanawha County to strike this matter from the docket and to send a certified copy of this Order to all counsel of record.

Enter this Order the 19 day of January, 2007.

James C. Stucky
Hon. James C. Stucky, 13th Judicial Circuit

STATE OF WEST VIRGINIA
COUNTY OF KANAWHA, SS
I, CATHY S. GATSON, CLERK OF CIRCUIT COURT OF SAID COUNTY
AND IN SAID STATE, DO HEREBY CERTIFY THAT THE FOREGOING
IS A TRUE COPY FROM THE RECORDS OF SAID COURT.
GIVEN UNDER MY HAND AND SEAL OF SAID COURT THIS 23rd
DAY OF February 2007.
Cathy S. Gatson
CLERK
CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA